



**Statement of Jacqueline S. Gillan
President, Advocates for Highway and Auto Safety
In Support of House Bill 4093
Criminal Justice Committee
Michigan House of Representatives
February 13, 2013**

Good afternoon, my name is Jacqueline Gillan and I am the President of Advocates for Highway and Auto Safety (Advocates). Advocates is a coalition of consumer, safety, public health and medical groups, and insurance companies and organizations working together to pass highway and auto safety laws that prevent unnecessary deaths and injuries. Thank you for the opportunity to provide testimony in support of House Bill (HB) 4093, legislation that will ensure that the .08 grams per 100 milliliters blood alcohol content (BAC) threshold remains the standard in Michigan for determining when a driver is operating a vehicle while intoxicated.

Under current Michigan law, on October 1, 2013, the .08 BAC standard for drunk driving will revert to .10 BAC. This bill would eliminate the sunset provision and maintain .08 BAC as the standard. By eliminating the sunset provision, Michigan will not only save lives and prevent injuries; it will also stop the state from losing millions of dollars in federal funding. The Michigan Department of Transportation has indicated that if the state reverts to a .10 BAC standard, Michigan will no longer comply with federal law that requires a .08 BAC level for operating while intoxicated. As a result, the Federal Highway Administration (FHWA) will withhold 6%, or \$50 million, per year of federal transportation funds from the state of Michigan.

Studies are convincing and compelling and show that the .08 BAC standard saves lives. Since Michigan changed its BAC standard in 2003 to .08 BAC, drunk driving fatalities have dropped by 25 percent in the state (Safe Kids, 2012). Michigan is not alone in witnessing such success. The National Highway Traffic Safety Administration (NHTSA) reports that at least ten studies have consistently shown that .08 BAC laws are associated with reductions in alcohol-related fatalities (NHTSA, 2004). Nationally, Mothers Against Drunk Driving (MADD) reports that the .08 BAC standard has contributed to a 24 percent decrease in drunk driving deaths since 2004.

The .08 BAC standard is critical to preventing drunk driving fatalities because driving performance downgrades with every drink (NHTSA, 2004). Nearly 300 studies have shown that at the .08 BAC level, almost all drivers' ability to perform critical driving tasks such as steering and lane changing are impaired (NHTSA, 2004). This significant impairment occurs at .08 BAC regardless of age, gender, and drinking history (NHTSA, 2004). Not only does the risk of being in a crash increase as a driver's BAC increases, but it also rises more rapidly once a driver reaches and exceeds .08 BAC (NHTSA, 2004).

Even with all of the successes experienced under the .08 BAC standard, drunk driving remains an imminent and serious threat on America's roads. According to the Centers for Disease Control and Prevention (CDC), adults drank too much and got behind the wheel about 112 million times in 2010 – that is almost 300,000 incidents of drinking and driving each day. The latest statistics from NHTSA reveal that in 2011, 9,878 people were killed in alcohol-impaired driving crashes. That is 31 percent of all fatal crashes. Sadly, an average of one alcohol-impaired-driving fatality occurred every 53 minutes in America in 2011. In Michigan, there were 230 fatalities in 2010. For each one of these fatalities, there is a horrific ripple effect forever changing the lives of children, mothers, fathers, family, friends and communities. These deaths do not happen in a vacuum they impact many others, as well as our society at large. The Michigan State Police report that there were 41,887 persons convicted of operating under the influence of liquor or other impaired driving offenses in 2010. Michigan should continue to take steps to address this deadly problem, not move backwards and remove one of the best tools used to combat drunk driving.

Currently, every state in America has a .08 BAC standard for drunk driving. Michigan should not become the only state in the union to not enforce this critical safety measure that has consistently saved countless lives. **Advocates urges you to vote YES on HB 4093.**

Thank you.

Sent: Tuesday, February 12, 2013 12:41 PM

To: Rep. Kurt Heise; Rep. Joseph Graves (District 51); Rep. Kenneth Kurtz (District 58); Rep. Mike Callton; Rep. Ed McBroom; Rep. Margaret O'Brien; Rep. Klint Kesto (District 39); Rep. Stacy Erwin Oakes (District 95); Rep. Rose Mary Robinson (District 4); Rep. John Olumba (District 3); Rep. John Kivela (District 109)

Subject: Please don't increase the BAC limit

Dear State Representatives on the Criminal Justice Committee,

I am Dawn Radzioch, a member the Chippewa Valley Coalition for Youth and Families, a community-based anti-drug coalition that serves parts of Clinton and Macomb Townships. The mission of our Coalition is to promote safe and drug-free youth and to protect our community from the negative effects of alcohol and other drugs.

It has come to our attention that there is consideration of increasing the current 0.08 BAC limit to 0.10. This concerns me greatly. Alcohol-related car crashes and fatalities have declined markedly since the implementation of the 0.08 BAC limit in 2004, and reinstating .10 as the legal BAC limit will certainly affect this positive trend. I support of House Bill 4093 and House Bill 4131 in advocacy for a safe community.

I would appreciate your support to keep our streets safe.

Sincerely,

Dawn Radzioch

From: Margaret Farenger [<mailto:mfarenger@achconline.org>]

Sent: Tuesday, February 12, 2013 3:23 PM

To: Rep. Kurt Heise

Cc: Rep. Kenneth Kurtz (District 58); Rep. Mike Callton; Rep. Ed McBroom; Rep. Margaret O'Brien; Rep. Klint Kesto (District 39); Rep. Stacy Erwin Oakes (District 95); Rep. Rose Mary Robinson (District 4); Rep. John Olumba (District 3); Rep. John Kivela (District 109); Rep. Joseph Graves (District 51)

Subject: Community Comment for Criminal Justice Committee Meeting on 2/13/2013

Representative Heise and Committee Members,

I respectfully request that the Criminal Justice Committee consider these comments at its 2/13/2013 meeting. I regret that I am not be able to appear tomorrow to comment personally regarding the value of Michigan's use of a .08 BAC level as a means to prevent alcohol-involved crash fatalities and increase the safety of Michigan's residents.

I represent Alliance of Coalitions for Healthy Communities, a nonprofit coalition serving Oakland County, Michigan and the surrounding region since 2004. Our membership includes fourteen community coalitions as well as individual and organizational members. Most coalition members are citizens and community leaders who work with us on a volunteer basis with the goal of making our community safer, increasing health, and expanding opportunity for young people.

Impaired Driving has been identified as a priority area of concern for our coalition. Fatal accidents due to alcohol impaired driving are preventable, and our coalition has studied available evidence regarding what works and what doesn't for effective prevention. Michigan has experienced a significant reduction in the number of lives lost in the years following the move to a .08 BAC level of impairment in 2004. Alcohol involved fatal vehicle crashes have dropped 23% since this time. This trend is consistent with what has occurred in other states. This is a policy that works and protects lives.

When Michigan moved to the .08 BAC level standard, it was a positive step to make drivers and passengers safer. Any increase to a standard higher than .08 would pose an unnecessary risk to Michigan residents.

Thank you for your consideration.

Regards,

Margaret Farenger
Executive Director
Alliance of Coalitions for Healthy Communities
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